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OCT 01 2003

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U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202
Assistant Commissioner for Patents
Washington, DC 20231

Re: Request for Continued Examination, etc.
Appl. No.: 09/873,409
Filed: June 5, 2001
Title: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein Homologue on Chromosome 7p15-21 and Uses Thereof**
Inventor(s): Frank, *et al.*
Atty. Dkt.: 7570/73298 (formerly 81994/279322)

Dear Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Request for Continued Examination;
2. Amendment and Response Under 37 C.F.R. § 1.111;
3. Declaration Under 37 C.F.R. § 1.132, with attachments;
4. Petition for Extension of Time Under 37 C.F.R. § 1.136; and
5. Return postcard.

Commissioner of Patents
October 1, 2003
Page 2

The Commissioner is hereby authorized to charge the following fees to our Deposit Account No. 06-1135 under Order No. 7570/73298 (Small Entity Status is claimed):

RCE	\$ 385.00
3-Month Extension of Time	<u>475.00</u>
TOTAL	\$ 860.00

The Commissioner is also hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 06-1135 under Order No. 7570/73298.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

MAS:ct
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Frank, *et al.*

Appl. No.: 09/873,409

Filed: June 5, 2001

For: **A Gene Encoding a Multidrug
Resistance Human P-Glycoprotein
Homologue on Chromosome
7p15-21 and Uses Thereof**



Art Unit: 1642

Examiner: Yu, M.

Atty. Dkt.: 7570/73298
(Formerly 81994/279322)

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Amendment and Response Under 37 C.F.R. § 1.111

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U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

In response to the Office Action dated April 2, 2003, Applicants are filing herewith a Request for Continued Examination (RCE), a Declaration Under 37 C.F.R. §1.132 and a the present Response Under 37 C.F.R. §1.111. Since the April 2 Office Action was "final," the RCE has been filed in order to have the Declaration considered.

The present response does not include any amendments to either the specification or claims of the application. **Remarks** begin on page 2.

EF
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CD
10/16/03